

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Applicaton No. 13616, of Gallaudet College, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.46 for further processing and revision of a previously approved College Master Plan to include within the scope of the plan additional property located in a C-M-1 District at the premises 1241 - 6th Street, N. E., (Parcel 129/103) and 1270 6th Street, N.E., (Parcels 129/106 and 129/70).

HEARING DATES: November 18, 1981 and December 2, 1981
DECISION DATE: December 2, 1981

FINDINGS OF FACT:

1. The main campus of Gallaudet College is bounded generally by Florida Avenue, West Virginia Avenue, Mount Olivet Road, and Brentwood Parkway, N. E. The mailing address of the campus is 800 Florida Avenue, N. E.

2. Also included within the campus boundaries is the property owned by the college in the northern half of Square 3591 bounded by Penn Street on the north, 6th Street on the east, and 5th Street on the west.

3. The main part of the campus is zoned R-4. This houses all of the academic, administrative, residential and athletic facilities of the college. The property in Square 3591 is zoned C-M-1 and is used as a transportation and maintenance facility and as a parking area.

4. Gallaudet College is a private educational institute chartered by the United States Congress in 1864 and serves the needs of deaf people.

5. The campus plan for Gallaudet College was first approved by the BZA in Case No. 11093, by orders dated December 13, 1972, February 22, 1973, and April 5, 1973. Modifications were approved in BZA Order No. 12068, dated June 17, 1976, BZA Order No. 12757, dated November 6, 1978, BZA Order No. 13088, dated February 19, 1980, and BZA Order No. 13269, dated August 20, 1980. At the request of BZA, Gallaudet College submitted a revised master plan which was approved by BZA Order No. 13220, dated November 10, 1980.

6. The applicant, Gallaudet College, seeks the Board's approval of a revised campus master plan to

incorporate within its campus plan additional property located in a C-M-1 District at premises 1241 6th Street, N.E., (parcel 129/103) and 1270 6th Street, N. E., (parcels 129/106 and 129/70). The property located at 1270 6th Street, N. E. consists of two parcels immediately adjacent to the Gallaudet main campus abutted by Florida Avenue, N.E., and 6th Street, N. E. which are generally known as the Appleby-Eaton property. The third parcel is across 6th Street to the north and located at 1241 6th Street, N. E. All three parcels were recently purchased by Gallaudet College from their former owners. All three properties were used by the Eaton Chevrolet dealership for the sale of new and used automobiles and for the service center for automobiles. On the Appleby-Eaton parcel, the Eaton Chevrolet Company maintained a typical showroom garage building, essentially a one story building with a small area upstairs and a small basement area. The balance of the Appleby-Eaton property was used for parking, while the property across the street on 6th Street was used to park automobiles.

7. Gallaudet College's proposed use of the three parcels is quite similar to the former use by the Eaton Chevrolet Company. Gallaudet will use the building as an automotive service center and the balance of the property for campus parking. It is Gallaudet's expressed intention to continue this use not only for the present but into the foreseeable future. This use is permitted as a matter of right in a C-M-1 District.

8. Gallaudet acquired these properties in order to reduce traffic on its main campus by moving parking from the center of the campus to the perimeter. In addition, a building was needed for the headquarters of the college transportation department.

9. The acquisition and use of these three parcels does not change the parking requirement as set out in the master plan approved by this Board. The approved master plan called for a total parking capacity of 2,025 automobiles and the acquisition of these new properties simply shifts the location of parking from a central area to a peripheral area of the campus.

10. As a result of the acquisition of these parcels parking has been reduced on the main campus along 7th Street, N. E., 8th Street, N. E., and in other areas which can now be developed into landscaping.

11. The Gallaudet Community Relations Council consists of residents, members of various civic organizations within the near northeast community, business representatives, students and faculty members of the College. It meets monthly. At its regular meeting on May 14, 1980, after

receiving a briefing by Gallaudet College regarding the acquisition of the Appleby-Eaton properties, the Council voted to support the acquisition of these properties by Gallaudet as the acquisition of the properties will not have a negative effect on the community. The Board agrees.

12. A consortium of District of Columbia agencies is working on a plan to revitalize the commercial properties in the market area of Florida Avenue along 6th Street. As a result the Office of Planning and Development and the Office of Budget and Economic Development suggested to the Board that this application either be denied without prejudice or that it be deferred to allow this planning process to continue to develop.

13. The Board finds that Gallaudet College is the owner of the subject properties. The Board had previously encouraged the college to acquire the site. The Board finds no conflict with the aforementioned plans and the subject application.

14. Advisory Neighborhood Commission 5-B, by letter dated November 18, 1981, supported the application on the grounds that the subject application is in keeping with the College's sound expansion plan and in the continued good interest of its surrounding community. The Board so finds.

15. There was no opposition to the application at the public hearing nor on file.

CONCLUSIONS OF LAW AND OPINION:

Based upon the above findings of fact and the evidence of record, the Board concludes that the applicant is seeking a special exception the granting of which requires proof that the applicant has met the requirements of Paragraph 3101.46 of the Zoning Regulations. The Board concludes that the applicant has complied with the requirements of Paragraph 3101.46. The three parcels to be incorporated into the Gallaudet College master plan are all located in a C-M-1 District and may be used for their current use and proposed use as a matter of right. The acquisition and incorporation of the three parcels into the Gallaudet College campus is in no way likely to become objectionable to neighboring property because of noise, traffic, or any other objectionable conditions.

The incorporation of the three parcels into the Gallaudet master plan in no way would increase traffic upon the main campus or change the parking requirements of the approved master plan. Indeed, the acquisition of these parcels have improved and reduced traffic congestion on the main campus and have removed parking and traffic to a peripheral area.

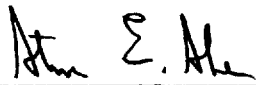
While the Board is aware that a consortium of District of Columbia agencies are planning a revitalization of the Florida Avenue market area adjacent to the Gallaudet campus, it does not believe that the incorporation of three parcels into the Gallaudet master plan would have any effect upon the planning process of the District of Columbia agencies. Accordingly, it is ORDERED that the application is GRANTED, subject to the following conditions:

1. Approval shall extend for the period of time specified in the previously approved campus plan, that is until 1990.
2. The subject property shall be limited to those uses specified in the campus plan as revised by this application.

VOTE: 4-0 (Walter B. Lewis, William F. McIntosh, Charles R. Norris and Connie Fortune to grant, Douglas J. Patton not present, not voting)

BY ORDER OF THE D. C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:


STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: JAN 19 1982

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.